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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,608	02/15/2001	Brian Roundtree	0956793611585.02	9399

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DENVER, CO 80202-5647

EXAMINER
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LIEN, TAN

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/783,608

Applicant(s)

ROUNDTREE ET AL.

Examiner

Tan Lien

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

Claims 1-20 are presented for examination.

Claims 1-16 and 18-20 are amended.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

*Claim(s) 1, 5-10, 11, 15-20 is/are rejected under 35 U.S.C. 102(b) as being anticipated by Hu et al (US Patent 5,748,188), hereinafter referred to as Hu.*

Claim(s) 1, 5, 11, 15: Hu discloses a method for rendering data on a user device, comprising:

Receiving the data at the user device along with one or more concept identifiers identifying a plurality of rendering instructions; (col. 23, lines 46-53; wherein the graph data is the data received along with concept identifiers or graph attributes that instruct the browser how to render the graph. The graph attributes instructs the browser what width and height the graph dimension should be rendered, what graph type the image should be rendered, etc...);

retrieving the rendering instructions based at least in part on one or more of the concept identifiers (col. 23, lines 53-56; wherein after parsing the graph elements into graph data and attributes, the client creates an object and copies/retrieves graph attributes/concept identifiers and graph data to the object); and

rendering the data on the user device using the rendering instructions (col. 23, lines 56-58; wherein the object representative of the graph is rendered by the viewer using the graph attributes as instructions to display the graph dimension, graph type, etc...).

Claim(s) 6, 16: Hu discloses a method of claim(s) 5, 15, wherein

the rendering includes parsing the data for presentation according to the rendering instructions (col. 23, lines 45-60).

Claim(s) 7, 17: Hu discloses a method of claim(s) 1, 11 wherein

the retrieving includes locally retrieving the rendering instructions at the user device (FIG. 20 ref. 12 shows the client doing the parsing, creating the object representation of the graph, and rendering with the viewer).

Claim(s) 8, 18: Hu discloses a method of claim(s) 1, 11 wherein

the rendering includes formatting an appearance of a visual elements using some of the data (FIG. 15-19 and col. 23; wherein the graph elements are visual elements creating the graphs).

Claim(s) 9, 19: Hu discloses a method of claim(s) 8, 18, wherein

the formatting includes selecting, using the rendering instructions, at least one from the group consisting of a particular color for presenting the visual element, a particular icon for presenting the data, positioning of the visual element, or a particular symbol for presenting the visual element (col. 20; wherein the position of the visual element is position with reference to the x-axis and y-axis in the <xlabels> and <ylabels>).

Claim(s) 10, 20: Hu discloses a method of claim(s) 1, 11 wherein

the retrieving includes selecting the rendering instructions based at least in part on a type of the user device (col. 7, lines 18-21; wherein the client subsystem is an application program which can be executed on Windows NT or Windows 95 operating systems. If a laptop is running Windows 95 and a desktop is running Windows NT, then the rendering instructions is run based upon operating systems, in which case the operating system is run based on the hardware architecture of the user device).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

*Claim(s) 2-4, 12-14 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Hu as applied to claim(s) 1-3 and 11-13 above, and further in view of RFC 1866 for Hypertext Markup Language – 2.0 by T. Berners-Lee and D. Connolly, hereinafter referred to as RFC1866.*

Claim(s) 2, 12: Hu discloses a method of claim 1,

but fails to include identifying interactive elements associated with some or all of the data and setting the interactive elements according to their associated data and rendering the interactive elements using the rendering instructions.

RFC1866, in an analogous art, discloses interactive elements (RFC page 41, section 8.1.2.4; wherein the interactive elements are the form element specifically input element with radio type) and setting the interactive elements according to the data and rendering instruction (RFC page 41, section 8.1.2.4; wherein the radio HTML GUI button is rendered on the client browser, and the CHECKED attribute sets the radio button to be selected. The client browser has instructions to set the check button after the user click on a different radio button). It would have been obvious to combine Hu's method of reporting

business graphs with RFC1866's interactive elements to make the graphs more flexible with different attributes based on the user selection, such as checking/selecting the radio buttons to change the graph's color or clicking a checkbox indicating the user wants a different type of graph with the same data sets. The advantage of the combination would make it more flexible to view different graphs instead of getting one type of graph object or reference per transmission request (col. 23, lines 1-65).

Claim(s) 3, 4, 13, 14: Hu and RFC1866 disclose a method of claim 2, and Hu also discloses retrieving additional data from a remote server (FIG. 14 and col. 20, lines 1-65)

but Hu fails to disclose detecting selection of interactive elements, retrieving interactive rules based upon the interactive element, and re-rendering the interactive elements using the rendering instructions. RFC1866 discloses:

detecting selection of one of the interactive elements (RFC1866 page 39-42, section 8 Forms; In HTML Forms, checkboxes `<INPUT TYPE=checkbox ...>` and radio buttons `<INPUT TYPE=radio>` are two of the many interactive elements that allow a user to make a selection. Once a user makes a selection based on what the user click, the web browser detects the click on the checkbox or radio button);

retrieving interaction rules associated with the interactive element (RFC1866 page 39-42, section 8 Forms; The web browser will interact with the element once it is selected. If the form element is checkbox and the user clicks on the checkbox, the browser will retrieve interaction rules to render the check marked on the checkbox. Moreover, if the form element is a textfield and the user clicks on the textfield box, the cursor will blink on the textfield indicating that it is ready to accept text characters); and

re-rendering the interactive elements using the interaction rules (re-rendering is done right after the interaction with the form elements. First when the HTML form is called, the browser renders the data based on the extended HTML graph element and form elements ready for user interaction. Once the form is ready to accept input, the user click on the form elements and pressing the submit button to re-render the graph based on the indicated selection or interaction).

It would have been obvious to combine Hu's method of reporting business graphs with RFC1866's interactive elements to make the graphs more flexible, such as checking/selecting the radio buttons to indicate request for changing the graph from one type to another type. The advantage of the combination would make it more flexible to view different graphs instead of getting one type of graph object or reference per transmission request (col. 23, lines 1-65).

***Response to Amendment***



Applicant's arguments filed 10/21/2004 have been fully considered but they are not persuasive.

In the Remarks, Applicant stated that

(a) Hu discloses a method of displaying a graph on a client computer. In the Hu invention, the graph elements contain the graph attributes and graph data. They are parsed by the parser, and are used in part to create objects. See at least col. 1, lines 59-61 and col. 23, lines 46-60. Thus, the graph elements are data, and the parser are the instructions that process/render the graph elements. Since the parser parses all graph elements, Hu does not employ any "identifier" to identify the "instructions" (parser) to be used to process the graph elements. In contrast, the concept identifiers facilitate the retrieval of a plurality of rendering instructions that render the data by identifying the plurality of the rendering instructions. Hu's graph elements do not identify the parser (a plurality of rendering instructions to be retrieved for the client computer (user device) to display (render) the received data). Therefore, the graph elements do not anticipate the concept identifiers. It follows then Hu does not anticipate retrieving instructions identified by the concept identifiers, and rendering the data using the retrieved instructions identified by the concept identifiers.

As to point (a), Hu does teach and employ the "identifier" to identify the "instructions." The parser has the instructions to parse the graph elements containing graph attributes (concept identifiers) and graph data (data in claim

language). The graph data are received along with graph attributes, which has the "instructions" to render/display the graph according to the dimensions specified in the graph attributes received along with the graph data (See at least col. 23, lines 46-53).

(b) Hu teaches the graph to be displayed is already contained on/in the client computer (user device) and is not included in the data received. See at least col. 56-58 and Figure 20. Unlike Hu, the present invention displays the data received. As to point (b), it is very well known in the art and specifically in the HTTP world that all data (data contained in HTML tags and extended HTML tags) and the instructions (tags and its corresponding attributes) to present the data reside on the server side. The data and its "instructions" is not already contained on/in the client computer (user device). The user has to request from the server, the data and tags and tag attributes. The client then uses the received information and presents it according to the received "instructions."

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tan Lien whose telephone number is (703) 305-6018. The examiner can normally be reached on Monday-Thursday from 8:30am to 6pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for this Group is (703) 305-3718.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [tan.lien@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy

Art Unit: 2141

published in the Official Gazette of the Patent and Trademark on February 25, 1997  
at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or  
proceeding should be directed to the Group receptionist whose telephone number is  
(703) 305-3900.

Examiner

Tan Lien

  
RUPAL DHARIA  
SUPERVISOR, PATENT EXAMINER